App F IX 4

Previous References
Mic 69-28 ~ 10, 20

1928
(Mic)

File No 69 - 28
Serial Nos 49, 68

Later References

General and Revenue Secretariat.

Serial Nos 2

Part B for Sept'r '29

SUBJECT

Dismantling the Compound wall of the Convent at Mysore for widening the Bangalore Nilgiri Road

Gl 68

To The Comptr to Govt
L 2340 Dy 26-9-29
Directs that a duly registered document be obtained from parties in Case of Regn of properties by mutual Agreement.
Copy to Chairman, Impl Trust Board
No L 2341 Dy 26/9/29

27/9/29

General and Revenue Secretariat

App F III—2]

Mc File No 69 of 1928

Serial No	
	(1
49	From the Comptroller in mysore no 1337/W A & I Dated 27-4-29
Flag X	With refce to G O nos 3630-1-Mc 69-28-20 & 16 11 28, sanctioning an estimate for Rs 2080 for demolishing & reconstructing the compound Wall of the Convent & Church at mysore for Widening the Bangalore-Nilgiri Road and authorising the Chairman, City Improvement Trust Board, Mysore to work it out as a set off against the Value of land acquired to the extent of 709 sq yds from the Church Authorities, requests to obtain legal opinion, as to the necessity or otherwise of Notification under the Land Acquisition Regn & the receiving of an agreement from the Church Authorities
C	1) File leading to the issue of G O dated 16 11 28, sanctioning the estimate for 2080 is put up 2) Under Sec 22 of the Mysore City Improvement Regn, the Trust Board has got the power to acquire land by a private negotiation without publication of the

NOTE—Contd on sheet

General and Revenue Secretariat

ml File No 69/45/23 (2) App F III—2] of 192 8

Serial No

(2)

Declaration under the Land Acqn Regulation

3) The execution of a document seems necessary Law Secretariat may be consulted, if approved

Dft 4/5/29 The Chairman seems to have discretion in the matter and it must be taken that he acts in accordance with the best of his discretion & when the Comptroller says is certainly not interfered - Some, but not forever

8/6/5.

The order of 1922 has been I think superseded by another paragraph 1923 after the amendments of the Act of 1922 & including those that first made order also the order is not applicable which [illegible] Islands Colonies or Protectorates which are governed by the provisions of Native Regulations

ml 17/5

Noted with a copy of SO no Camp R173-233 - L R 21-6-09

D 23627 Dft 18/5

The orders of 1915 & 1922 referred to by the Act have been suspended by the Act of 23rd June 1927, under which it has been expressly declared that the provisions of the Act should apply unless the purchase of the land by private negotiation is prohibited by any Order or Rule having the force of law

The Trust of Orders allows transactions by the Act by the Trustee

NOTE—Continued on sheet

Revenue Secretariat

File No

of 192

App F III 91

(3)

Serial No

Agreement [illegible] which is required in case of purchase of land by ? [illegible] Mr [illegible]'s office may be informed.

The agreement [illegible] may be duly registered & Mr Low Scott may [illegible] in regard to this

28.
20/5

6/9/29
10/9

Mr
20/5

Letter Secy with compliments

Mr

Since the [illegible] documents & the construction works and cannot have been done unless an agreement it must be by a duly registered document & unless to evidence the said agreement Besides, there must be a title deed to support the recommendation hence, a document must be [illegible] & it must be registered

Mr
9/9

Gm: Secy with Compts

Draft reply

Mr
11/9

OFFICE OF THE EXECUTIVE COUNCIL
28 SEP 1929
No. 2533

File No

Serial No	
	Issue M 21/5
68	To The Comptroller to Govt. No- L 2340 dt 26-9 29 Directs that a duly registered document be obtained from parties in cases of acquisitions of properties under mutual agreement in the Mysore City Improvement Trust Board
	To The Chairman, Mysore City Improvement Trust Board Memo no- L 2341 dt 26 9 29 Forwards Copy of the abo

4947

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE

30 APR 1929

No 1557/MAD I C 6641 Bangalore dated 27th April 1929.

From

S SHAMANNA Esq BA
Comptroller to the Government of
His Highness the Maharaja of Mysore
BANGALORE

GENL & REV SECTT
30 APR 1929
FINANCIAL BRANCH

To

B Srinivasa Iyengar Esq , B A , B L ,
Secretary to the Government of Mysore,
Financial Department, Bangalore

Sir

With reference to Government Order No 3630-1 M L 69-28-20 dated 16-11-1928 sanctioning an estimate for R 2,080/- for dismantling and reconstructing the Compound Wall of the Convent and Church at Mysore for widening the Bangalore Nilgri Road and authorising the Chairman, City Improvement Trust Board, Mysore, to meet the charge, as a set off against the value of land acquired to the extent of 709 S Yds from the Church authorities, I have the honor to state that the Chairman was asked to intimate whether the land in question was acquired under Land Acquisition Regulations or by mutual agreement and if by the latter, whether there was a duly registered Deed of Agreement, to which he replied that it was acquired by Mutual Agreement and a Registered document was not considered necessary He considered it also unnecessary to issue a Notification for the acquisition as required under para 5 of the Government Order No R 632-92/L R 5-22-1 dated 25-7-22 which says that "Land Acquisition Regulation" is necessary even if the land is voluntarily offered by the owner to acquire indefeasible right of the land In the absence of such a notification some deed of agreement appears necessary as this is a case of transfer or acquisition of the piece of land This particular case may not be of much importance and may not create any complication

2 But as a matter of principle is involved, I request you to kindly obtain legal opinion as to the necessity or otherwise of

n tifi ation u r t' lar 'equ ei' n ' ati a
the ~~security~~ of an agre r'

I have th h r t 'a,

Sir,

lour r st bo'ient ervant,

C ptroller

Ci

Subj this may ap apps, be sent to d S C Branch
for forma l approval, as my wi h d, if rec

GEN REV SECT
48223
2 MAY 1929
L S C BRANCH

SUBJECT

(b

Diary No of letter replied to 4823

General and Revenue Secretariat

( )

the 192

Date of issue. 26-9-29

Signed by W R S Iyer

List of enclosures

Copied by

Examined by

Section Mil

File No 69-28

Serial No 68

No L 23240

To

The Comptroller to Gov

Sir, Awaiting ~~Under reference~~ to

Your letter no 1337/W A-

I Dated the 27th April 192

addressed to the Financ

Secretary to Government

suggesting with reference

to G O No L 3630-1-Mil

69-28-20 dated the 16th Nov

1928, sanctioning an

estimate for Rs. 2080/=

for dismantling & re-

Constructing the Compou

Wall of the Convent of

over

it requisite for the dismantling
the Bangalore - Nelgiri Road
the issue of a Notification
under the Land Acqn Regn
or the taking of an agreement
from the Church Authorities
for the land acquired from
them by mutual agreement,
I am directed to point
out that the Trust Board
has acquired the properties
by mutual agreement under
sec 22 of the Requisitn
Acqn Regn and no Notn
is therefore necessary in
this case

2 Since the dismantling
of the Christian Religious Works
~~is said to~~ have been
done under an agreement,
Govt ~~Consider~~ advise
a duly registered Docu-
ment be obtained ~~as~~
~~Order~~ to evidence the
~~said agreement the~~

G R S G/33]

GENERAL AND REVENUE SECRETARIAT

(Continuation sheet draft form)

the Chairman, Improvement Trust Board is requested to have a document executed in this behalf by the Chairman Authorities & have it registered

WB/1-4-28 General Secy to Govt

D 138/1927
14

memo no L2341 dy 26/29 Sept 29

Copy of the above is forwarded, with Copy, to the Chairman, Improvement Trust Board for information & guidance

WB/1-4-28 For General Secy